

Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

One terrible crime occurred in October 2003 in Providence, RI. There, a woman was grabbed off a street by two men who yelled homophobic slurs and then egged each other on while raping her at knifepoint. The woman was walking to a club around 11:30 p.m. when a large tan vehicle pulled up nearby. The driver asked her for directions, and as she spoke with him, another man grabbed her from behind and forced her into the back seat of the vehicle. The men accused her of being a lesbian and called her names. They then pulled into a lot and took turns raping her at knifepoint. After, they pushed her out of the car and sped off.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

NOMINATION OF MARK MCCLELLAN AS ADMINISTRATOR, CENTERS FOR MEDICARE AND MEDICAID SERVICES

Mr. VOINOVICH. Mr. President, 3 weeks ago President Bush nominated Mark McClellan to be Administrator of the Centers for Medicare and Medicaid Services, CMS. I rise today to express my deep concern over the news that some of my colleagues have threatened to delay his confirmation.

This is happening at a time when CMS has more on its plate than it has had in 39 years—since the creation of the Medicare and Medicaid programs in 1965. Last November, I proudly joined my colleagues in support of a bill to finally provide over 40 million seniors a voluntary prescription drug benefit through Medicare. After years of having to carry the burden of high prescription drug costs without any assistance from Medicare, the bill we passed will provide 1.6 million seniors in my State with access to affordable prescription drugs. This is long overdue.

At CMS, steps are already being taken to implement the provisions in this bill. In fact, 2 months from now, in May 2004, seniors across the Nation will have the opportunity to enroll in a Medicare-endorsed drug discount card that is expected to yield an average 10 to 25 percent savings on all prescription drug purchases. On top of these discounts, the Federal Government will annually purchase the first \$600 in prescription drug costs for those seniors below 135 percent of the poverty level.

Five weeks ago, on February 5th, CMS announced that over 100 separate entities had submitted applications to offer Medicare-approved cards to bene-

ficiaries, a response they called a "robust level of interest" from potential card sponsors. While this is encouraging, this level of interest places greater demand on CMS staff as they continue to review applications and move forward in announcing their card endorsements within the next month.

Furthermore, former CMS administrators have been quick to point out that if the new drug benefit is to commence on time in January 2006, rules must be written and finalized no later than October or November of 2005. Vital decisions must be made about the administration of the benefit in the development stage, which is now—decisions that require strong leadership and expertise. Unfortunately, CMS has been without a leader since January, when Tom Scully resigned.

I assure you that the success of Medicare and the prescription drug benefit rests with a capable CMS workforce under strong leadership. CMS already faces an enormous challenge. Approximately one quarter of its workforce will be eligible to retire in the coming years. In fiscal year 2003, 30 percent of individuals serving in career Senior Executive Service positions at CMS were eligible for retirement. In addition, 20 percent of CMS's workforce was eligible to retire. The leadership to move this vital agency forward is lacking without a confirmed administrator.

Gail Wilensky, administrator of CMS's predecessor, the Health Care Financing Administration from 1990 to 1992, describes the task ahead as "the largest challenge an administrator has had." Similarly, her successor, Nancy Ann Min DeParle, who had the demanding task of implementing the Balanced Budget Act throughout her tenure from 1997 to 2000, has correctly stated that implementing the new drug benefit will be even more taxing than previous initiatives and will require the agency to design a "new delivery system that does not now exist even in the commercial market."

I could not agree more. I have concerns about the arduous task ahead for CMS and as a result, will be holding a hearing at my Government Affairs Subcommittee in the coming weeks to examine CMS' capacity to do this job. I expect Dr. McClellan to be at this hearing to discuss his plans for leading CMS in this pursuit.

I cannot think of a more qualified leader for CMS at this critical time than Dr. Mark McClellan. His work at the helm of the FDA over the past 2 years brought innovation and creativity to the agency, which many believe has dismantled bureaucratic barriers and led to quicker reviews of drug and other product applications to speed generic drugs to the marketplace. I am most appreciative of his work in this area, as a few years ago, I was able to secure \$400,000 for the FDA to educate our nation's seniors about the safety and cost-effectiveness of generic drugs.

Dr. McClellan earned a medical degree from the Harvard University-Mas-

sachusetts Institute of Technology Program in Health Sciences and Technology and a doctorate in economics from MIT. He served under President Clinton between 1998 and 1999 as Deputy Assistant Secretary of the Treasury and served as health policy coordinator and a member of President Bush's Council of Economic Advisers before joining the FDA.

In fact, Dr. McClellan has always enjoyed broad support across party lines, and it was no surprise that just last week, Senator EDWARD KENNEDY described Dr. McClellan as a superb choice for CMS administrator who "brings to the job a powerful intellect, a deep knowledge of the programs and a commitment to public service."

What did come as a surprise was the announcement by several Senators that, despite Dr. McClellan's outstanding qualifications, they are threatening to block his nomination to gain leverage on the issue in Congress of re-importing pharmaceuticals from outside of the United States.

As Chairman of the Governmental Affairs Subcommittee on Oversight of Government Oversight and Management and the Federal Workforce, I am gravely concerned. Delaying this appointment at a time when CMS desperately needs leadership will affect the agency's ability to effectively implement the prescription drug benefit and even more urgently, the drug discount card program.

This is not fair to the 5,000 dedicated CMS employees who are working tirelessly to implement the congressionally mandated prescription drug benefit.

This is not fair to our Nation's seniors. Every American, and particularly every senior citizen, should be outraged.

Now is not the time to play political games. We must make sure that CMS has the leadership it needs at this juncture to handle the task at hand. I urge my colleagues to reconsider their decision to delay the nomination of Dr. Mark McClellan and confirm his appointment to this important position.

CONGRATULATING SUJEY KALLUMADANDA

Mr. ENZI. Mr. President, today is, and will always be, a special day in the life of one of my staffers, Sujey Kallumadanda. For on this day, Sujey has successfully completed all the requirements, passed all the tests, completed the interviews and officially taken the oath as a new citizen of the United States. I appreciate having this opportunity to congratulate him on his effort and to wish him well on his acceptance of this wonderful new title he will carry with him for the rest of his life, United States Citizen.

Sujey's story is quite a remarkable one. It begins with his emigration from India when he was young and his arrival in the United States with his family. He is the latest of his family to become a citizen of the United States,